

Atty. Dkt. No. 039153-0298 (F0785)

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 16-20 are cancelled without prejudice. Claims 25-33 are added. Claims 1 and 9 are amended. No new matter is added in the amendments or in the new claims 25-33.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-15 and 25-33 are now pending in this application.

In paragraphs 3 and 4 of the Office Action, the Examiner has rejected claims 17-24 under 35 U.S.C. § 112, second paragraph. Applicants have cancelled claims 16-24 without prejudice. New claims 25-33 are clearly directed to a process. Accordingly, withdrawal of the rejection of claims 17-24 under 35 U.S.C. 112, second paragraph is respectfully requested.

In paragraphs 5-6 of the Office Action, claims 1 and 9 are rejected under 35 U.S.C. § 102(c) as being anticipated by U.S. Patent No. 6,232,048 (Buynoski). The Examiner states:

Buynoski teaches a method of preparing narrow resist lines. The steps include forming a resist pattern with initial width of W1 in height H1; subjecting the pattern to ion bombardment normal to the surface . . . wherein the lateral etch rate of the resist feature is greater than the vertical etch rate of the hardened top.

Applicants respectfully traverse the rejection.

In paragraphs 7 and 8 of the Office Action, claims 2-8 and 10-15 are rejected under 35 U.S.C. § 112(a) as being unpatentable over Buynoski in view of U.S. Patent No. 5,962,195 (Yen). The Examiner states:

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Buynoski does not teach flood exposure . . . , fluorinating or plasma etching.

Yen teaches flood exposure of a resist feature to a an ion-beam to modify its etch rate; the plasma-treatment comprises Ar⁺ or F⁺ ions

Applicants respectfully traverse the rejection.

In paragraph 9 of the Office Action, claims 16-24 are rejected under 35 U.S.C. § 102(b) as being anticipated by or in the alternative, under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,876,903 (Ng). The Examiner states:

Ng teaches an IC device with sublithographic dimensions
Ng does not trim the resist structure. It does not teach different etch rates of the modified nor modified regions of the resist.

Applicants respectfully traverse the rejection.

To advance prosecution, Applicants have amended independent claims 1 and 9 to recite features which the Examiner admits are not disclosed in Buynoski. Accordingly, withdrawal of the rejection under 35 U.S.C. § 102(e) of independent claims 1 and 9 is respectfully requested. Applicants further submit that a rejection under 35 U.S.C. § 103 over Buynoski is not proper because Buynoski cannot be considered prior art under 35 U.S.C. § 103(c). 35 U.S.C. § 103(c) provides:

Subject matter developed by another person, which qualifies as prior art under one or more of sub sections (e) . . . of section 102 . . . shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time invention was made, owned by the same person or subject to an obligation of assignment to the same person.

The present application has been invented by employees of the assignee, Advanced Micro Devices. Buynoski qualifies as prior art under 35 U.S.C. § 102(e) and is assigned to Advanced Micro Devices. Accordingly, at the time the present invention was invented by Applicants, it was assigned to the same entity. Therefore, under 35 U.S.C. § 103(c), Buynoski is not prior art. Thus, independent claim 1 and its dependent claims 2-8 and

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independent claim 9 and its dependent claims 10-15 are patentable under 35 U.S.C. § 103 over Buynoski and Yen.

New claims 25-33 recite that trimming the feature does not remove the entire top portion and that the top portion is removed in a separate removal step. Such a feature is not disclosed in Buynoski or Ng. As discussed above, a rejection of claim 25 or its dependent claims 26-33 over Buynoski is not proper under 35 U.S.C. § 103 because Buynoski is not prior art under 35 U.S.C. § 103(c). Accordingly, it is respectfully submitted that claim 25 and its dependent claims 26-33 are patentable over Buynoski and Ng.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

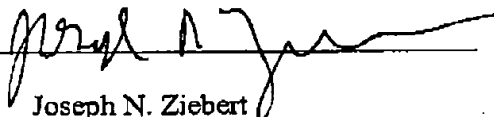
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Respectfully submitted,

Date

8-20-03

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